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INSIDE STORY: THE US PRISON SYSTEM



# US 'supermax' prison is condemned internationally for its abusive regime

The Bureau of Prisons boss seems oblivious, as ADX Florence faces a class action lawsuit brought by mentally ill prisoners



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The federal Bureau of Prisons' 'supermax' facility: ADX Florence, Colorado

In 1990, John Jay Powers was sentenced to time in prison for robbing a bank. While

there, he witnessed the murder of another inmate and began suffering from post-traumatic stress. In 2001, after a brief escape attempt, he was transferred to Administrative Maximum (ADX) Florence, the federal government's only supermax facility, where inmates are housed in conditions of such extreme isolation the prison is known, not so fondly, as the "Alcatraz of the Rockies".

Before entering ADX, Powers had no history or symptoms of mental illness, but since being installed there, he has become deranged and has engaged in numerous acts of self-mutilation, including amputating his testicle and scrotum, biting off his finger and trying to kill himself on several occasions.



John Jay Powers. Photograph via [Supermaxlawsuit.com](http://Supermaxlawsuit.com)

To give you an idea of why a previously sane person would lapse into madness at ADX, you need look no further than the circumstances of their confinement. ADX was designed to ensure the total isolation of all its prisoners, who are held in cells about the size of an average toilet. The cells have thick, concrete soundproof walls, a door with bars and a second door made of solid steel. The only possible means of communicating with other humans is to yell into the toilet bowl and hope that someone may hear. The inmates are kept in their cell 24/7 for two days each week. On the other five days, they may get to spend approximately one hour in a similarly-sized cage for what is laughingly referred to as "outdoor" recreation. By its own policy, the Bureau of Prisons (BOP) excludes the mentally ill from ADX, but it seems that many prisoners with mental illness

end up there because of a deficient screening process – and more still who were sane upon arrival tend not to remain so for long.

Powers is one of 11 prisoners at ADX Florence named in a federal class action lawsuit filed against the BOP on 18 July of this year, alleging mistreatment and abuse of prisoners with mental illness who are frequently misdiagnosed (if diagnosed at all) and then denied proper care. It comes at a time of mounting pressure from the international community, including the United Nations High Commission for Human Rights and the European Court of Justice. Yet the BOP, which would not comment on the pending litigation, has demonstrated by their prior, and subsequent, actions that they are oblivious at best and indifferent at worst to the allegations.

To give an idea of the kind of obliviousness I'm talking about, you need to look no further than a memo with the subject line "Suicide Prevention" that was sent by Charles Samuels, the director of the federal Bureau of Prisons, two days after the lawsuit was filed, to all inmates in the federal system – including those housed in solitary confinement at ADX. In the memo, Samuels, sounding like a concerned social worker, urges prisoners who may be feeling suicidal to try to look on the bright side. Here's an excerpt:

"Incarceration is difficult for many people. Many individuals experience a wide range of emotions – sadness, anxiety, fear, loneliness, anger or shame. At times you may feel hopeless about your future and your thoughts may turn to suicide. If you are unable to think of solutions other than suicide, it is not because solutions do not exist; it is because you are currently unable to see them. Do not lose hope. Solutions can be found, feelings change, unanticipated positive events occur. Look for meaning and purpose in education and treatment programs, faith, work, family, and friends."

Samuels goes on to urge suicidal inmates to avail themselves of the psychologists, counseling services and so on that he seems to think are readily available to them. Now, one could take the memo at face value as a genuine attempt to rally the spirits of prisoners who are feeling out of sorts. But when you consider that the memo was addressed to inmates, many of whom Samuel acknowledges in the final paragraph, "may be reading this message while in a Special Housing Unit or Special Management Unit cell" (all euphemisms for solitary confinement), and that the suicidal feelings prisoners are experiencing are far more likely to be a direct consequence of the fact that they are housed in such isolation units than for existential reasons, it's hard not to be a tad

cynical. It's harder still when one learns that Samuels himself seems to have only a hazy notion, at best, as to what kind of counseling services prisoners have access to, if any.

A month before the memo was issued, Samuel testified before a senate subcommittee hearing on solitary confinement, during which he claimed "no negative effect" of isolation on prisoners. And he fluffed his response to a direct question by Senator Durbin regarding the access prisoners at ADX have to psychologists.

"I can give you later, for the record, I mean, an average, but I would say, I mean, because this is being conducted, sir, I mean throughout, you know, the country, various locations and to give a specific amount of time."

There are larger implications of this lawsuit and those that have proceeded it, however: once again, it focuses an embarrassing spotlight on the fact that while the powers-that-be in the US are quick to condemn abuses of prisoners in captivity in other countries, they are apparently unconcerned with the less overt, yet equally damaging, human rights abuses happening in prisons on American soil. Since 2007, the European Court of Human Rights has put a stay on the extradition of six men wanted on terrorism charges because of concerns about the treatment that would be in store for them at ADX.

Finally, under apparent pressure from the US, it agreed to allow the extradition to proceed this past April. But that decision prompted such a backlash from advocacy groups that it is considering an appeal later this month. One can only hope that the international community will remind the US that it needs to hold itself to the same standards to which it holds others.

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